

2006 OCT 23 P 1:36

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

FILED CLERK OF COURT
GREENVILLE CO. S.C.
PAUL B. WICKENSIMER

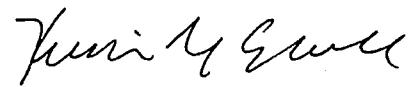
BIDZIRK, LLC, DANIEL G. SCHMIDT,)
III, and JILL PATTERSON,)
Plaintiffs,)
v.) Civil Action No. 6:06-CV-00109-HMH
PHILIP J. SMITH,)
Defendant.) NOTICE OF LIS PENDENS

YOU ARE HEREBY NOTIFIED that the above-captioned action is pending in the United States District Court for the District of South Carolina against Philip J. Smith. The purpose of the action is to recover damages for defamation and invasion of privacy, and to enjoin the defendant's infringement of trademarks belonging to BidZirk, LLC. The property affected by this notice is 601 Cleveland Street, Apartment 5-C, Greenville, South Carolina 29601, located on Map No. 0067080103600 in the office of the Register of Deeds of Greenville County, South Carolina. Description and tax information is exhibited hereto.

WHEREFORE Plaintiffs advise and request the Clerk to record the instant Notice on the Court's lis pendens docket, that said Notice shall inform the public of the pendency of the above-captioned action.

RECORDED IN BOOK 03 PAGE 073

This 23rd day of October, 2006.



KEVIN M. ELWELL
South Carolina Bar No. 73971

K.M. ELWELL, P.C.
111 East North Street
Greenville, South Carolina 29601
(864) 232-8060
(404) 759-2124 e-facsimile
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Attorneys for Plaintiffs BidZirk, LLC,
Daniel G. Schmidt, III and Jill Patterson

Real Property Detail Information

Select Another Tax
Year :

2006

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Map #0067080103600

Mail Addr 601 CLEVELAND ST APT 5C

Year 2006

City GREENVILLE

Owner 1 SMITH PHILIP J

State SC

Owner 2

Zip 29601

Prev. Owner WERNER CHARLES M III

Desc 5C

Care Of

Loc 601 CLEVELAND ST

Acreage

SubDiv MCDANIEL HEIGHTS

Deed Book-Pg 1921 - 10

Sq Footage 646

Deed Date 08/10/2000

No Bldgs 1

Will

Bldg Val \$38,167

Sales Price \$48,500

Land Val \$5,000

Plat Book/ Pg

Land Use 1100

Total Val \$43,167

Dist 500

HmstCd

Total \$0.00

Juris 1

Storm \$21.50

Num 1

Assmt Class LR

Bathrooms

Num 1

Bedrooms

Num Half 0

Baths 0

Cur. Yr \$445.87
Taxes

Acct.No 200600020801188001

Date Paid

Amount Due \$445.87

Amount Paid

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OFFICIAL PAYMENTS CORP

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Greenville County Government

online document viewer

PROPE**SHEET NO.** 67.8**BLOCK NO.** 1**LOT NO.** 1**LISTED** Cleveland Street**DESCRIPTION** Unit#5C **McDaniel Heights Cond.**

RECORD OF OWNERSHIP	DATE VOL., PAGE
College Properties, Inc.	11-20-78 1092-330
Moore, Otis P. & Walter B.	9-27-79 1112-425
Herran, Vincent W.	10-26-79 1114-335
Rodgers, Virginia M.	8-1-80 1130-341
Sultan, Fatema	06-29-90 1404-204
Dickson, Judy McCartt	04-16-91 1432-756
Werner, Charles M., III	07-16-97 1702-958
Smith, Philip J.	08-10-2000 1921-10

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BIDZIRK, LLC, DANIEL G. SCHMIDT,)
III, and JILL PATTERSON,)
Plaintiffs,)
v.) Civil Action No. 6:06-CV-00109-HMH
PHILIP J. SMITH,)
Defendant.) CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the foregoing NOTICE OF LIS PENDENS upon the following parties by depositing same in the United States Mail in a properly-addressed envelope with adequate postage affixed to:

Mr. Philip J. Smith
601 Cleveland Street
Apartment 5-C
Greenville, South Carolina 29601

This 23rd day of October, 2006.



KEVIN M. ELWELL
South Carolina Bar No. 73971

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Greenville, South Carolina 29601
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kmelwell@kmelwell.com

Attorneys for Plaintiffs BidZirk, LLC,
Daniel G. Schmidt, III and Jill Patterson